

CGB-CC-0133

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March 16, 2006

Ms. Amelia Brown  
Disability Rights Officer  
Federal Communication's Commission  
445 12<sup>th</sup> Street Southwest  
Washington, D.C. 20554

RE:CGB-CC0133

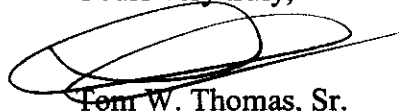
Dear Ms. Brown:

I enclose copy of your letter of February 14, 2006 to Cornerstone Christian Church.

I enclose for your review one original and two copies of affidavit of Pastor Dell Young and Timothy Pecoraro. As you can see the church is quite diversified in its ministry. It would create an undue economic burden and eliminate funds for other ministries if the church does not receive the exemption from closed caption.

Thanks for your consideration.

Yours very truly,



Tom W. Thomas, Sr.

TWTSr:ed

Enclosures



Federal Communications Commission  
Washington, D.C. 20554

February 14, 2006

Reference: CGB-CC-0133

Cornerstone Christian Church  
Pastor Justin Young  
403 Cleveland Street  
P.O. Box 618  
Sparks, GA 31647

Dear Pastor Young,

The Federal Communications Commission received the petition you filed on behalf of Cornerstone Christian Church, seeking an exemption from the closed captioning requirements for its programming based on the undue burden standard found in Section 79.1(f) of the rules.

Without addressing the merits of your petition for exemption based on the undue burden standard, we note that it is incomplete because, among other things, it does include the nature and costs associated with captioning the show and it does not explain reasonable alternatives to captioning, if any. Your petition must be supported by sufficient evidence to demonstrate that compliance would cause significant difficulty or expense. Your petition also must be, but is not, supported by affidavit. Without this documentation, which is required under the Commission's rules, it is impossible for the Commission to determine whether Cornerstone Christian Church has sufficiently justified an exemption from the closed captioning requirements for its programming.

We request that you promptly supplement the petition with the requested information and support it by affidavit. To assist you in supplementing your petition, enclosed is a copy of the Commission rule governing the filing and processing of petitions for exemption from the closed captioning requirements. Additional information also is available on the web at [www.fcc.gov/cgb/dro/caption\\_exemptions.html](http://www.fcc.gov/cgb/dro/caption_exemptions.html).

With regards to the statement that your "annual gross budget falls far under the \$3,000,000 mark," we note that Section 79.1(d)(12) states, "[n]o video programming provider shall be required to expend any money to caption any channel of video programming producing annual gross revenues of less than \$3,000,000 during the previous calendar year other than the obligation to pass through video programming already captioned when received pursuant to paragraph (c) of this section." Because you are claiming an exemption for an individual video program, not a channel of video programming, the specific \$3,000,000 general revenue exemption of Section 79.1(d)(12) does not appear to apply to your particular circumstances.<sup>1</sup>

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<sup>1</sup> *In the Matter of Maranatha Fellowship Church Video Programming Accessibility, Petition for Waiver of Closed Captioning Requirements*, CSR 6308, Memorandum Opinion and Order, DA 05-1706, 2005 WL 1475352 (Media Bureau June 22, 2005).


Please note that your petition remains pending. Pursuant to the Commission's rules, while your petition is pending before the Commission, the video programming that is the subject of the petition is considered exempt from the closed captioning requirements.

Please include the case identifier number CGB-CC-0133 in all correspondence with the Commission regarding this matter. Please send an original and two copies of the supplementary material to

Amelia Brown, Disability Rights Office  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Please follow the directions found on the above website for mailing or delivering materials to the Commission. Any inquiries regarding this matter should be directed to Amelia Brown at (202) 418-2799 (voice), (202) 418-7804 (TTY), or [Amelia.Brown@fcc.gov](mailto:Amelia.Brown@fcc.gov). Please refer to the case identifier number in any email correspondence or phone conversations with Commission staff.

Sincerely,



Amelia Brown  
Senior Attorney  
Disability Rights Office  
Consumer & Governmental  
Affairs Bureau

## AFFIDAVIT

GEORGIA, COOK COUNTY

Before me, the undersigned officer, duly authorized under the laws of the State of Georgia to administer oaths, personally appeared **DELL YOUNG**, who, after oath was duly administered, deposes and on oath states the following:

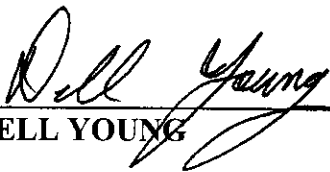
That I am senior pastor of Cornerstone Christian Church, Inc. We are a 15 year old church with a membership of 280 people consisting of blacks, whites and hispanics. The church is located in Sparks, Georgia whose population is 1755 people.

That we are quite diversified in our ministry, trying to reach the world for Christ, but our major thrust is the area in which we are located. Our ministry includes the following with the cost associated therewith: Missionaries, TV, Radio, Benevolence, Prison, Rehabilitation, - \$99,800.00 in 2005; Youth, Children, Men's, Lady's, Divorce Care, Single's, Pregnancy Crisis, Help's (Food Pantry) - \$9,300.00 in 2005. In addition, we operate a school for K-12 grades at a cost to the church of \$129,000.00 in 2005.

That our TV ministry is on three TV stations, Savannah - 8:00 a.m. Sunday morning, Albany - 7:00 a.m. Sunday morning, and Valdosta 12:00 a.m. Thursday midnight. We don't offer closed caption because the cost would be

an undue economic burden. However, we do utilize lower thirds on screens throughout the show emphasizing scripture references, as well as contact information and main points throughout the broadcast. Our commercials are also very text heavy, which allows the hearing impaired to be able to comprehend the products, special events etc. that we offer.

This the 16<sup>th</sup> day of March, 2006.

 LS  
DELL YOUNG

Sworn to and subscribed  
before me, this 16<sup>th</sup> day  
of March, 2006.



N.P.

My Commission Expires: \_\_\_\_\_

## AFFIDAVIT

SIMPSONVILLE, SOUTH CAROLINA

Before me, the undersigned officer, duly authorized under the laws of the State of Georgia to administer oaths, personally appeared **TIMOTHY PECORARO**, who, after oath was duly administered, deposes and on oath states the following:

That I am president and CEO of Peculiar Production's and my company handles the television editing and production for Cornerstone Christian Church, Inc. The current cost per week for the production is \$320.00 not including any closed caption. The cost for the closed caption will be an additional \$310.00 per broadcast per week for a total additional cost of \$16,120.00 per year.

This the 14th day of March, 2006.

  
TIMOTHY PECORARO LS

Sworn to and subscribed  
before me, this 14th day  
of MARCH, 2006.

  
N.P.

My Commission Expires: \_\_\_\_\_